

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

4 IN RE: NATIONAL COLLEGIATE ) Docket No. 13 C 9116  
ATHLETIC ASSOCIATION STUDENT- )  
ATHLETE CONCUSSION INJURY )  
5 LITIGATION ) Chicago, Illinois  
 ) February 26, 2020  
6 ) 9:05 o'clock a.m.

TRANSCRIPT OF PROCEEDINGS - STATUS  
BEFORE THE HONORABLE JOHN Z. LEE

## APPEARANCES:

11 For the Plaintiffs: HAGENS BERMAN SOBOL SHAPIRO, LLP  
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15 For the NCAA: LATHAM & WATKINS, LLP  
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PROCEEDINGS RECORDED BY  
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1                   THE CLERK: 13 CV 9116, NCAA Student-Athlete  
2 Concussion Injury Litigation.

3                   MR. KUROWSKI: Good morning, your Honor, Daniel  
4 Kurowski for plaintiffs and settlement class.

5                   MR. COLLINS: Good morning, your Honor, Robert  
6 Collins on behalf of the NCAA.

7                   THE COURT: Good morning.

8                   So, I reviewed the motion and the status report  
9 submitted by the parties. The request for \$10,000 for search  
10 engine advertising, basically -- for lack of a better word --  
11 looks fine to me. And, so, that's approved.

12                  So, can you tell me where we stand on the rollout?

13                  MR. KUROWSKI: Certainly, your Honor.

14                  The parties are continuing efforts to work through  
15 the various issues. It's our understanding that the  
16 questionnaire will be available -- the screening questionnaire  
17 is going to be launched -- in approximately three, four weeks  
18 time. And once that that -- and at the same time, the --  
19 Epiq, the Medical Monitoring Program administrator, is  
20 currently working with the Medical Science Committee and  
21 various neuropsychologists in order to make sure that the  
22 scoring and the parameters associated with that screening  
23 questionnaire is as it should be.

24                  Once that process is launched, it's available to  
25 class representatives, and then they will be able to -- once

1 scored, then consistent with the timing requirements under the  
2 settlement, they'll be able to determine the eligibility for  
3 subsequent neuropsychological exams and related tests.

4 At the same time, it's also my understanding that  
5 Epiq is in the process of dotting the T's and crossing the I's  
6 with respect to the various provider contracts it will need to  
7 have in place in order to do that.

8 I think one of the benefits of having Epiq as our  
9 settlement program administrator is there's certain, I think,  
10 economies of scale that are operating here because Epiq is  
11 also the program administrator with respect to the NFL  
12 concussion settlement; and, as part of that settlement,  
13 they're also -- there's a network of providers that have --  
14 are undergoing -- one of the benefits to settlement class  
15 members is a baseline assessment program and they see  
16 neurologists and neuropsychologists. So, there's experience  
17 and contact with those individuals. So, I think that's  
18 helping, as well.

19 THE COURT: Okay.

20 And, then, as far as the media campaign or the public  
21 announcements, when are they scheduled to go -- I know some of  
22 them have already gone out. When are the bulk of them  
23 scheduled to go out?

24 MR. KUROWSKI: I'd say it's sort of a little bit of  
25 both, your Honor. In terms of our perspective, from my firm,

1 our press release has issued already. And we began -- and I  
2 think they should be completed at this point -- a rollout on  
3 our firm's social media pages over a three-day period.

4 In addition, Epiq -- as of yesterday, they were  
5 reporting that they were going to receive the 17,000 list of  
6 individuals on the settlement Web site's "Contact Us" page.  
7 So, your Honor may or may not recall there's a "Contact Us" on  
8 the settlement page, and it allows somebody to put their  
9 e-mail address and then they're added to the list. Well, that  
10 list is approximately 17,000.

11 They have a list of a thousand ready to go. The  
12 infrastructure in order to send the e-mails out in place. The  
13 parties have had a back-and-forth discussion in terms of what  
14 that notice should look like, and everybody's agreed onto it.  
15 And, so, it's my understanding that an initial batch of 1,000  
16 of the 17,000 should issue shortly.

17 And, then, approximately three to four days after  
18 that, the additional remaining 16,000 or so will be issued  
19 subsequently. And the reason, I understand, for the delay is  
20 it will allow Epiq in order to ensure that they have call  
21 center staffing appropriately.

22 And, then --

23 MR. COLLINS: Yeah --

24 MR. KUROWSKI: -- Mr. Collins will be in a position  
25 in terms of the NCAA's role.

1                   MR. COLLINS: Right.

2                   To add to that, your Honor, the NCAA issued a press  
3 release on February 19th. They also issued that out on their  
4 Twitter page on the same day. And we worked with class  
5 counsel on the press release and on the release of that. So,  
6 we were aligned on the releases that went out.

7                   We also -- or the NCAA also updated its Web site so  
8 that it reflected the launch of the Medical Monitoring  
9 Program. And, then, linked to that Web site or the updated  
10 settlement Web site that Epiq is now sponsoring, we -- I think  
11 we were here before that actually launched. So, the Epiq Web  
12 site was updated and did launch by February 18th, as required  
13 by the settlement agreement. And, so, now class members can  
14 go on and register to get information about the questionnaire  
15 when that comes out.

16                  And we do understand from Epiq that they have  
17 identified potential or likely providers in all of the areas  
18 in the regions. And we are now working with Epiq on providing  
19 any input that the parties have on the contract that the --  
20 that Epiq is trying to enter into with the providers.

21                  THE COURT: Okay. It sounds like things are  
22 progressing.

23                  Let's set this case for further status in about --  
24 let's say in about six months, so that I can just kind of keep  
25 a tab on how things are going. We'll set this case for

1 further status the first week in September.

2 MR. KUROWSKI: Your Honor, we have an existing  
3 status, I believe, on July 8th.

4 THE COURT: I'm going to go ahead and strike that  
5 status date.

6 MR. KUROWSKI: Okay.

7 THE CLERK: September 2nd at 9:00 o'clock.

8 MR. KUROWSKI: Thank you.

9 MR. COLLINS: Thank you, your Honor.

10 THE COURT: Thank you.

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12  
13 I certify that the foregoing is a correct transcript from the  
record of proceedings in the above-entitled matter.

14  
15 /s/ Joseph Rickhoff  
16 Official Court Reporter

March 3, 2020

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